

17648 U.S. PTO
07/14/03

LAW OFFICES OF BRIAN S. STEINBERGER, P. A.

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17302 U.S. PTO
10/6/19324
07/14/03

Attorney Docket No. FLG-028USDIV (which is a divisional of application SN: 09/750,831 filed 12/28/2000 which claims priority of
Sn: 60/181,395 filed on 02/08/00 and Sn: 60/107,236 filed on 11/05/98)

Serial No.: 09/____

Filed: ____/____/____

Divisional Application of Serial No.: 09/750,831

Filed: 12/28/2000

First Named Inventor: Ernest H. Roberts

For: DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS

Examiner: VARNER, STEVE M.

Group: 3635

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Patent and Trademark Office
P o Box 1450
Alexandria, VA 22313-1450

Honorable Assistant Commissioner:

This is a request for filing a Divisional Application under 37 CFR 1.53 of pending prior application Serial No. 09/750,831 filed December 28, 2000. This Divisional Application elects to cancel all claims, enter the attached Supplemental Form PTO-1449, and enter the attached preliminary amendment.

1. Enclosed is a copy of the prior application, including the oath or declaration as originally filed, A Revocation of Attorney by Inventor, new Power of Attorney, Declaration under 37 CFR 1.131, Petition to Correct Inventorship and I hereby verify that the attached papers are a true copy of the prior application Serial No. 09/750,831 as originally filed on December 28, 2000.

2. The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT

FEE CALCULATION

| | |
|--|------------|
| Basic Filing Fee | \$ 375.00 |
| Total Claims in excess of 20: 0 - 20 = 0 @ \$9.00 = | .00 |
| Independent Claims in excess of 3: 0 - 3 = 0 @ \$42.00 = | <u>.00</u> |

TOTAL FEE: \$ 375.00

3. Amend the specification by inserting before the first line the sentence: -- This is a Divisional of Application Serial No. 09/750,831 filed December 28, 2000.--

Attorney Docket No. FLG-028USDIV (which is a divisional of application SN: 09/750,831 filed 12/28/2000 which claims priority of Sn: 60/181,395 filed on 02/08/00)

Serial No.: 09/____,____

Filed: ____/____/____

Divisional Application of Serial No.: 09/750,831

Filed: 12/28/2000

First Named Inventor: Ernest H. Roberts

For: DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS

Examiner: VARNER, STEVE M.

Group: 3635

4. Amend the claims before calculating the filing fee as follows:

Cancel all claims.

5. The prior application is assigned of record to: Lineguard, Inc., a small entity as evidenced by the enclosed copy of the Assignment form dated December 28, 2000, recorded on reel/frame 011420/0484 and the University Florida, a state university which is a nonprofit institution and is entitled to Small entity filing fee status as evidenced by a copy of the Assignment form dated 12/3/01 (not yet Registered)

6. The following have received Power of Attorney in the prior application: Brian S. Steinberger, Registration No. 36,423.

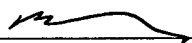
7. A copy of the Power of Attorney in the prior application is enclosed.

8. Address all future communications to:

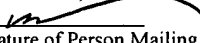
Law Offices of Brian S. Steinberger
Registered Patent Attorneys
Brian S. Steinberger, Registration No. 36,423
Joyce P. Morlin, Registration No. 29,170
Roland A. Dexter, Registration No. 17,668
101 Brevard Avenue
Cocoa, Florida 32922
(321) 633-5080/FAX: (321) 633-9322
Customer no.: 23717

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date 7/11/03


Brian S. Steinberger
Registration No. 36,423

I certify that this correspondence, including the attachments listed, is being deposited with the United States Postal Service, Express Mail Post Office to Addressee service, Receipt No: EV326214531US in an envelope addressed to Assistant Commissioner For Patents, Mail Stop Patent Applications., P O Box 1450, Alexandria, VA 22313-1450, on the date shown below.

7/11/03
Date of Mailing  Signature of Person Mailing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

First Named Applicant: ERNEST H. ROBERTS

Application No.: 09/750,831

Filed: 12/28/00

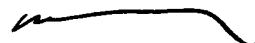
Examiner: VARNER, STEVE M.

Group No.: 3643

For: DEVICE FOR IMPEDING A ROUTE OF
TRAVEL OF CRAWLING ARTHROPODS

} Certificate Under 37 CFR 1.8(a)

} I hereby certify that this correspondence is being
} deposited with the United States Postal Service as
} first class mail in an envelope addressed to Assistant
} Commissioner for Patents, Washington, D. C. 20231

} on: 8/16/02 
} by: Brian S. Steinberger

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents
Washington, DC 20231

MAILED: 8/16, 2002


Honorable Commissioner:

The above-captioned application was filed on December 28, 2000. Ernest H. Roberts was named as the sole inventor. Later Philip G. Koehler was added as a co-inventor. As a result of discussing the papers filed in that application, it was determined that Richard S. Patterson was also an inventor of the invention claimed in the captioned patent. His omission from the list of named inventors was made without any deceptive intent.

Applicants respectfully request that the inventorship in the captioned patent application be corrected to add Richard S. Patterson so that the named inventors read: Ernest H. Roberts, Philip G. Koehler and Richard S. Patterson. In support of this petition, applicants enclose a statement from Richard S. Patterson stating that the omission of his name from the list of joint inventors for the captioned patent application was made without deceptive intent on his part and a statement from the original named inventor stating that he has no disagreement in regard to the request change.

A petition fee in the amount of One Hundred Thirty Dollars (\$130.00) under 37 C.F.R. § 1.17(i) for correction of inventorship in an application is enclosed.

Respectfully submitted,


Brian S. Steinberger
Law Offices of Brian S. Steinbergerr, P.A.
Attorney at Law
PTO Registration No. 36,423
Customer No.: 23717

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

First Named Applicant: ERNEST H. ROBERTS

Application No.: 09/750,831

Filed: 12/28/00


Examiner: VARNER, STEVE M.

Group No.: 3643

For: DEVICE FOR IMPEDING A ROUTE OF
TRAVEL OF CRAWLING ARTHROPODS

} Certificate Under 37 CFR 1.8(a)

} I hereby certify that this correspondence is being
} deposited with the United States Postal Service as
} first class mail in an envelope addressed to Assistant
} Commissioner for Patents, Washington, D. C. 20231

} on: 8/16/02 
} by: Brian S. Steinberger

STATEMENT IN SUPPORT OF CORRECTION
OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents
Washington, DC 20231

MAILED: 8/16, 2002

Honorable Commissioner:

I, Richard S. Patterson, hereby declare as follows:

The above captioned application was filed on December 12, 2000. A signed Declaration and Power of Attorney was submitted naming Ernest H. Roberts as inventor.

After review of the papers filed, it has come to my attention that the above-captioned non-provisional application, as filed, should have named me as a co-inventor, since I contributed to the claimed invention. The omission of my name from the list of inventors was an error made without any deceptive intent on my part. Accordingly, the application should be corrected in compliance with 37 CFR. 1.48(a).

Specifically the inventorship of the application should be amended to reflect Ernest H. Roberts, Philip G. Koehler and Richard S. Patterson as co-inventors.

Date 8-12-02


Richard S. Patterson

Law Offices of Brian S. Steinberger, P.A.
Attorney for Applicants
101 Brevard Avenue
Cocoa, FL 32922
321 633-5080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

First Named Applicant: ERNEST H. ROBERTS

Application No.: 09/750,831

Filed: 12/28/00

Examiner:

Group No.: 3643

For: DEVICE FOR IMPEDING A ROUTE OF
TRAVEL OF CRAWLING ARTHROPODS

} Certificate Under 37 CFR 1.8(a)

} I hereby certify that this correspondence is being
} deposited with the United States Postal Service as
} first class mail in an envelope addressed to Assistant
} Commissioner for Patents, Washington, D. C. 20231

} on 12/5/01
} by Brian S. Steinberger

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents
Washington, DC 20231

MAILED: December 5, 2001


Honorable Commissioner:

The above-captioned application was filed on December 28, 2000. Ernest H. Roberts was named as the sole inventor. As a result of discussing the papers filed in that application, it was determined that Philip G. Koehler was also an inventor of the invention claimed in the captioned patent. His omission from the list of named inventors was made without any deceptive intent.

Applicants respectfully request that the inventorship in the captioned patent application be corrected to add Philip G. Koehler so that the named inventors read: Ernest H. Roberts and Philip G. Koehler. In support of this petition, applicants enclose a statement from Philip G. Koehler stating that the omission of his name from the list of joint inventors for the captioned patent application was made without deceptive intent on his part and a statement from the original named inventor stating that he has no disagreement in regard to the request change.

A petition fee in the amount of One Hundred Thirty Dollars (\$130.00) under 37 C.F.R. § 1.17(i) for correction of inventorship in an application is enclosed.

Respectfully submitted,


Brian S. Steinberger
Law Offices of Brian S. Steinberger, P.A.
Attorney at Law
PTO Registration No. 36,423
Customer No.: 23717

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|--|
| In re application of: | } | <u>Certificate Under 37 CFR 1.8(a)</u> |
| First Named Applicant: ERNEST H. ROBERTS | } | I hereby certify that this correspondence is being |
| Application No.: 09/750,831 | } | deposited with the United States Postal Service as |
| Filed: 12/28/00 | } | first class mail in an envelope addressed to Assistant |
| Examiner: | } | Commissioner for Patents, Washington, D. C. 20231 |
| Group No.: 3643 | } | |
| For: DEVICE FOR IMPEDING A ROUTE OF | } | on _____ |
| TRAVEL OF CRAWLING ARTHROPODS | } | by _____ Brian S. Steinberger |

STATEMENT IN SUPPORT OF CORRECTION
OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents
Washington, DC 20231

MAILED: December __, 2001

Honorable Commissioner:

I, Philip G. Koehler, hereby declare as follows:

The above captioned application, which was filed on December 12, 2000. A signed Declaration and Power of Attorney was submitted naming Ernest H. Roberts as inventor.

After review of the papers filed, it has come to my attention that the above-captioned non-provisional application, as filed, should have named me as a co-inventor, since I contributed to the claimed invention. The omission of my name from the list of inventors was an error made without any deceptive intent on my part. Accordingly, the application should be corrected in compliance with 37 CFR. 1.48(a).

Specifically the inventorship of the application should be amended to reflect Ernest H. Roberts and Philip G. Koehler as co-inventors.

Date 12/3/01


Philip G. Koehler

Law Offices of Brian S. Steinberge, P.A.
Attorney for Applicants
101 Brevard Avenue
Cocoa, FL 32922
321 633-5080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: FLG-028US

Application Serial No.: 09/750,831

Filed: 12/28/00

Examiner:

Group: 3643

For: DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS

Commissioner of Patents and Trademarks

Patent and Trademark Office


Washington, DC 20231

MAILED: 8/9, 2001

Honorable Commissioner:

Please incorporate the attached Information Disclosure Statement, supplemental Form PTO-1449 and prior art references to be made of record in the above-identified application.


Respectfully submitted,


Brian S. Steinberger
Law Offices of Brian s. Steinberger
Registered Patent Attorneys
PTO Registration No. 36,423
101 Brevard Avenue
Cocoa, Florida
(321) 633-5080/(321) 633-9322 Fax
Customer No.: 23717

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below as First Class Mail, in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, DC 20231.

Date 8/9, 2001


BRIAN S. STEINBERGER
(Name of Person Mailing Paper)